

Will the Technical Pillar of the Fourth Railway Package cross the finish line?

After five years of debate, centralised certification of rolling stock is gradually moving closer with the technical pillar of the Fourth Railway Package. However, Philippe Citroën, director general of the European Railway Industry association (Unife) warns that delays to this key legislation remain a distinct possibility.

ABOUT a year ago the European Commission (EC) published its proposals for the long-awaited Fourth Railway Package. In particular the Technical Pillar, comprising the revised Interoperability Directive, the revised Safety Directive and the new European Railway Agency (ERA) Regulation, was welcomed by Europe's railway industry and the railway sector at large.

The Technical Pillar is of great importance for the industry as it brings, among other things, much-needed reforms to the way we carry out authorisation of railway equipment in Europe.

The proposals reflect the ideas that have been discussed between the EC, national representatives, the Community of European Railway and Infrastructure Companies (CER), Unife and the broader rail sector over the past five years.

The current system of authorisations and safety certification in Europe is fragmented and not fit for the Single European Railway Area that the European Union aspires to build. When it comes to selling railway products today we are far from an internal market and we lag behind many other industries. The authorisation processes for rail vehicles currently differ from one country to the next, with member states having their own authorisation procedures which do not necessarily comply with European legislation.

This leads to costly double testing and red tape for those seeking authorisation, creating



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controversial. CER and Unife are united in a desire to see the Technical Pillar adopted in the next few months.

After its publication in January 2013, the EC's proposal for the Technical Pillar had to make its way through the European institutions. As with most legislative proposals, the European Parliament and the member states in the Council were given an opportunity to modify and improve the text. Unife accompanied the Technical Pillar closely on its path through the institutions.

In this context, Unife would like to thank the Irish and the Lithuanian Presidencies of the Council for reaching a firm agreement in June on the Interoperability Directive and in October on the Safety Directive. Unfortunately, an agreement on the ERA Regulation was not reached in 2013 for logistical reasons but Unife hopes that the Greek Presidency will succeed in closing the file by the time this article is published.

The European Parliament started working on this complex file in February 2013 and, thanks to the strong commitment of the rapporteurs, managed to define its position in December 2013 in a first vote in the transport committee.

At the time of writing, two of the three agreements of the Council are available as well

as the vote of the Transport Committee on the three dossiers. The next step in the legislative process is to define a common position between the institutions in three-way negotiations between the Council, the European Parliament and the EC. From what is known about the positions of the Parliament and of the Member States these negotiations should go

smoothly. As in any joint decision-making process, a few compromises will need to be found during the discussion, but as positions appear to be relatively similar, the European Parliament and the Council should be able to do this quickly. It looks possible that the texts could be adopted by June 2014.

However, at the time of writing, these three-way discussions have not yet begun and time pressure is mounting as European elections are due to take place in May 2014, which will be followed by the nomination of the new Commission. This will be followed by parliamentary hearings of the Commissioners-designate, which will continue until November 2014. It is hard to imagine that during this time of institutional change that the

Technical Pillar will receive the attention it needs. Therefore, a one-year delay appears to be a real risk.

It is against this alarming backdrop that the European rail industry hopes that the European institutions will start three-way negotiations to adopt the Technical Pillar during the early part of this year. The European rail industry is keen to see that the institutions and the member states will quickly come to an agreement on the much-needed Technical Pillar and that this will come into force as soon as possible.

Capitalising on the achievements of the EC, the Parliament and the Member States so far, the European institutions can now push the Technical Pillar over the finish line which is so tantalisingly close. **IRJ**



The Technical Pillar aims to transfer responsibility for rolling stock authorisation from the national railway authorities to the European Railway Agency.

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